

House Study Bill 26 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON HOLT)

A BILL FOR

1 An Act relating to the service of notices of garnishment by
2 sheriffs.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 642.5, Code 2021, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 1A. The sheriff shall serve to the
4 garnishee the notice of garnishment in the same manner as an
5 original notice by personal service, certified mail service,
6 first class mail, or electronic mail.

| 7 | EXPLANATION |
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8 The inclusion of this explanation does not constitute agreement with
9 the explanation's substance by the members of the general assembly.

Under current law, a sheriff is required to take the answer of the garnishee when the plaintiff, in writing, directs the sheriff to do so. The sheriff must then file the answer to the examination within seven business days of receiving the answer. This bill provides that the sheriff shall serve the notice of garnishment in the same manner as an original notice.